

Exhibit D

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Subject: [EXT] United States v. Menendez et al., S4 23 Cr. 490 (SHS)
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Counsel:

We wanted to notify you regarding an error we recently discovered in the laptop the parties jointly provided to the jury for its deliberations. We recently learned that incorrect versions of certain Government Exhibits were inadvertently loaded on the jury's laptop. Specifically, incorrect versions of Government Exhibits A103-10, A120, B207-1, C207-8, C207-8T, C207-9, C207-9T, C602, and D207-3 that did not contain all of the redactions ordered by the Court were loaded on the jury's laptop. The incorrect versions of the exhibits were never displayed to the jury in any form. And the version of the chart summarizing these exhibits (GX 1302) on the jury laptop summarized the correct versions of the exhibits.

Although we don't believe any action is necessary, we also will be informing the Court of this discovery, including more detail, shortly.

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